

**ORIGINAL**

BRUCE CARROLL (Bar No. 108725)  
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In pro per

**FILED**

FEB 08 2006 *Kor*

STATE BAR COURT  
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LOS ANGELES

**THE STATE BAR COURT  
HEARING DEPARTMENT – LOS ANGELES**

In the Matter of  
BRUCE DUANE CARROLL,  
No. 108725

A Member of the State Bar

Case Nos. 04-O-10402  
04-O-13053  
04-O-15487

**ANSWER TO NOTICE OF  
DISCIPLINARY CHARGES**

Respondent Bruce Carroll answers the Notice Of Disciplinary Charges, and admits,  
denies and alleges as follows:

1. Admit.
2. Respondent denies that he willfully violated Rule of Professional Conduct 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services with competence.
3. Admit.
4. Admit.
5. Admit.
6. Respondent admits receipt of Hannah's August 12, 2002 letter, but denies that he failed to respond to the letter. Respondent spoke with Hannah by telephone regarding the August 12, 2002 letter.

1           7.     Admit.

2           8.     Respondent admits receipt of Hannah's August 23, 2002 letter, but denies that he  
3 failed to respond to the letter. Respondent spoke with Hannah by telephone regarding the  
4 August 23, 2002 letter.

5           9.     Respondent admits receipt of Meer's December 2, 2002 letter, but denies that he  
6 failed to notify Hannah of the settlement offer. Respondent forwarded the letter to Hannah and  
7 discussed the offer with both Meer and Hannah. Hannah accepted the settlement offer and  
8 entered into a written settlement agreement with The Century Group and Harry Boxer, who paid  
9 the agreed settlement amount to Hannah.

10          10.    Admit.

11          11.    Admit.

12          12.    Admit.

13          13.    Admit.

14          14.    Admit.

15          15.    Admit.

16          16.    Admit.

17          17.    Admit.

18          18.    Admit.

19          19.    Admit.

20          20.    Admit.

21          21.    Admit.

22          22.    Admit.

23          23.    Admit.

24          24.    Admit.

25          25.    Admit.

26          26.    Admit.

27          27.    Respondent lacks information sufficient to form a belief with respect to the  
28 allegations of Paragraph 27, and on that basis denies the allegations of Paragraph 27.

1           28.     Admit.

2           29.     Respondent denies that he failed to file an opposition to Teledyne's motion for  
3 Summary judgment, and alleges that he did file an opposition to Teledyne's motion for summary  
4 judgment. Respondent alleges that he did appear in Judge Fromholz' courtroom at on September  
5 23, 2003, at approximately 8:35 a.m., expecting to argue Hannah's opposition to the motion,  
6 only to be told that the motion had already been heard and that the court had granted the motion.  
7 Respondent admits that the court entered summary judgment against Hannah.

8           30.     Respondent alleges that he did file an opposition to Teledyne's motion for  
9 summary judgment and did not intend to miss the hearing on the motion. Respondent admits  
10 that he did not file a motion to withdraw and did not give advance notice to Hannah that he  
11 would not be appearing at the hearing.

12           31.     Respondent admits the allegations of Paragraph 31, except alleges that Hannah  
13 was aware of the entry of judgment because Hannah communicated directly with counsel for  
14 Teledyne in the days and weeks following the September 23, 2003 hearing.

15           32.     Respondent lacks information sufficient to form a belief with respect to the  
16 allegations of Paragraph 32, and on that basis denies the allegations of Paragraph 32.

17           33.     Admit.

18           34.     Respondent incorporates his responses to Paragraphs 3-33, above, and denies  
19 that he willfully violated Rule of Professional Conduct 3-110(A), and further denies that he  
20 intentionally or recklessly failed to perform legal services with competence.

21           35.     Respondent denies that he willfully violated Business and Professions Code  
22 section 6068(m), and further denies that he willfully failed to respond promptly to reasonable  
23 status inquiries made by Hannah.

24           36.     Respondent incorporates his responses to Paragraphs 3-33, above, as though fully  
25 set forth at length.

26           37.     Deny.

27           38.     Deny.

28           39.     Respondent incorporates his responses to Paragraphs 3-33, above, as though fully  
set forth at length.

1           40.     Respondent incorporates his responses to Paragraphs 3-33, above, as though fully  
2 set forth at length.

3           41.     Respondent incorporates his responses to Paragraphs 3-33, above, as though fully  
4 set forth at length.

5           42.     Deny.

6           43.     Admit.

7           44.     Admit.

8           45.     Respondent admits the allegations of Paragraph 45, except alleges that he spoke  
9 with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce  
10 at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and  
11 to review Respondent's files with respect to the Hannah and Papaleo matters.

12          46.     Admit.

13          47.     Respondent admits the allegations of Paragraph 47, except alleges that he spoke  
14 with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce  
15 at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and  
16 to review Respondent's files with respect to the Hannah and Papaleo matters.

17          48.     Admit.

18          49.     Respondent lacks information sufficient to form a belief with respect to the  
19 allegations of Paragraph 49, and on that basis denies the allegations of Paragraph 49.

20          50.     Respondent lacks information sufficient to form a belief with respect to the  
21 allegations of Paragraph 50, and on that basis denies the allegations of Paragraph 50.

22          51.     Respondent lacks information sufficient to form a belief with respect to the  
23 allegations of Paragraph 51, and on that basis denies the allegations of Paragraph 51.

24          52.     Admit.

25          53.     Admit.

26          54.     Respondent denies the allegations of Paragraph 54, and alleges that he spoke  
27 with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce  
28 at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and  
to review Respondent's files with respect to the Hannah and Papaleo matters.

1           55.     Respondent denies that he willfully violated Rule of Professional Conduct  
2 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services  
3 with competence.

4           56.     Admit.

5           57.     Admit.

6           58.     Admit.

7           59.     Admit.

8           60.     Admit.

9           61.     Admit.

10          62.     Admit.

11          63.     Admit.

12          64.     Admit.

13          65.     Admit.

14          66.     Admit.

15          67.     Admit.

16          68.     Admit.

17          69.     Admit.

18          70.     Admit.

19          71.     Admit.

20          72.     Admit.

21          73.     Admit.

22          74.     Admit.

23          75.     Admit.

24          76.     Admit.

25          77.     Admit.

26          78.     Respondent lacks information sufficient to form a belief with respect to the  
27 allegations of Paragraph 78, and on that basis denies the allegations of Paragraph 78.  
28

79. Respondent admits receipt of Papaleo's June 4, 2004 request for his file.

Respondent is informed and believes that Papaleo's file was provided to him by Respondent's office in August, 2004, and on that basis, denies that he failed to return Papaleo's file.

80. Respondent admits receipt of Papaleo's requests for his file documents.

Respondent is informed and believes that Papaleo's file was provided to him by Respondent's office in August, 2004, and on that basis, denies that he failed to return Papaleo's file.

81. Respondent denies that he willfully violated Rule of Professional Conduct 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services with competence.

82. Respondent denies that he willfully violated Rule of Professional Conduct 3-700(A)(2).

83. Respondent incorporates his responses to Paragraphs 56 through 80 as though fully set forth at length.

84. Admit.

85. Admit.

86. Admit.

87. Respondent denies that he willfully violated Rule of Professional Conduct 3-700(A)(2).

88. Deny.

89. Respondent incorporates his responses to Paragraphs 56 through 80 as though fully set forth at length.

90. Deny.

91. Deny.

92. Respondent denies that he willfully violated Business and Professions Code section 6068(m).

93. Respondent incorporates his responses to Paragraphs 56 through 80 as though fully set forth at length.

94. Admit.

95. Admit.

1           96.     Admit.

2           97.     Respondent denies that he willfully violated Business and Professions Code  
3 section 6068(m).

4           98.     Respondent denies that he willfully violated Business and Professions Code  
5 section 6068(m).

6           99.     Respondent incorporates his responses to Paragraphs 56 through 80 as though  
7 fully set forth at length.

8           100.    Respondent denies that he willfully violated Business and Professions Code  
9 section 6068(m).

10          101.    Deny.

11          102.    Admit.

12          103.    Admit.

13          104.    Admit.

14          105.    Respondent admits the allegations of Paragraph 105, except alleges that he spoke  
15 with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce  
16 at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and  
17 to review Respondent's files with respect to the Hannah and Papaleo matters.

18          106.    Respondent admits the allegations of Paragraph 106, except alleges that he spoke  
19 with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce  
20 at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and  
21 to review Respondent's files with respect to the Hannah and Papaleo matters.

22          107.    Respondent lacks information sufficient to form a belief with respect to the  
23 allegations of Paragraph 107, and on that basis denies the allegations of Paragraph 107.

24          108.    Admit.

25          109.    Admit.

26          110.    Admit.

27          111.    Admit.

28          112.    Respondent denies the allegations of Paragraph 112, and alleges that he spoke

with Ms. Bridge by telephone on several occasions, and met with Ms. Bridge and Ms. Erin Joyce at the offices of The State Bar to discuss the charges filed by Mr. Hannah and Mr. Papaleo, and to review Respondent's files with respect to the Hannah and Papaleo matters.

113. Respondent denies that he willfully violated Rule of Professional Conduct 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services with competence.

114. Admit.

115. Admit.

116. Admit.

117. Admit.

118. Admit.

119. Admit.

120. Admit.

121. Respondent lacks information sufficient to form a belief with respect to the allegations of Paragraph 121, and on that basis denies the allegations of Paragraph 121.

122. Respondent lacks information sufficient to form a belief with respect to the allegations of Paragraph 122, and on that basis denies the allegations of Paragraph 122.

123. Admit.

124. Respondent lacks information sufficient to form a belief with respect to the allegations of Paragraph 124, and on that basis denies the allegations of Paragraph 124.

125. Respondent denies that he willfully violated Rule of Professional Conduct 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services with competence.

126. Respondent denies that he willfully violated Rule of Professional Conduct 3-700(A)(2).

127. Respondent incorporates his responses to Paragraphs 114 through 124 as though fully set forth at length.

128. Admit.



1 129. Admit.

2 130. Respondent denies that he willfully violated Rule of Professional Conduct  
3 3-700(A)(2).

4 131. Respondent denies that he willfully violated Business and Professions Code  
5 section 6068(m).

6 132. Respondent incorporates his responses to Paragraphs 112 through 122 as though  
7 fully set forth at length.

8 133. Admit.

9 134. Respondent denies that he willfully violated Rule of Professional Conduct  
10 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services  
11 with competence.

12 135. Respondent incorporates his responses to Paragraphs 114 through 124 as though  
13 fully set forth at length.

14 136. Admit.

15 137. Deny.

16 138. Admit.

17 139. Admit.

18 140. Admit.

19 141. Admit.

20 142. Respondent lacks information sufficient to form a belief with respect to the  
21 allegations of Paragraph 142, and on that basis denies the allegations of Paragraph 142.

22 143. Admit.

23 144. Respondent lacks information sufficient to form a belief with respect to the  
24 allegations of Paragraph 144, and on that basis denies the allegations of Paragraph 144.

25 145. Admit.

26 146. Respondent lacks information sufficient to form a belief with respect to the  
27 allegations of Paragraph 146, and on that basis denies the allegations of Paragraph 146, except  
28 admit that Respondent did not notify Nakano of the motions.

1           147. Respondent lacks information sufficient to form a belief with respect to the  
2 allegations of Paragraph 147, and on that basis denies the allegations of Paragraph 147, except  
3 admit that Respondent did not notify Nakano of the dismissal.

4           148. Admit, except deny that Respondent had actual knowledge of the motion, hearing  
5 or dismissal.

6           149. Respondent denies that he willfully violated Rule of Professional Conduct  
7 3-110(A), and further denies that he intentionally or recklessly failed to perform legal services  
8 with competence.

9           150. Respondent denies that he willfully violated Rule of Professional Conduct  
10 3-110(A)(2), and further denies that he intentionally or recklessly failed to perform legal services  
11 with competence.

12           151. Respondent incorporates his responses to Paragraphs 114 through 124 and 136  
13 through 148 as though fully set forth at length.

14           152. Admit.

15           153. Admit.

16           154. Admit.

17           155. Respondent denies that he willfully violated Rule of Professional Conduct  
18 3-110(A)(2), and further denies that he intentionally or recklessly failed to perform legal services  
19 with competence.

20           156. Respondent denies that he willfully violated Business and Professions Code  
21 section 6068(m).

22           157. Respondent incorporates his responses to Paragraphs 114 through 124 and 136  
23 through 148 as though fully set forth at length.

24           158. Respondent denies that he willfully violated Business and Professions Code  
25 section 6068(m).

26           159. Respondent denies that he willfully violated Business and Professions Code  
27 section 6103, and further denies that he willfully disobeyed or violated an order of the court.  
28

1 160. Respondent incorporates his responses to Paragraphs 114 through 124 and 136  
2 through 148 as though fully set forth at length.

3 161. Admit.

4 162. Admit.

5 163. Admit.

6 164. Respondent denies that he willfully violated Business and Professions Code  
7 section 6103, and further denies that he willfully disobeyed or violated an order of the court.

8 165. Respondent denies that he willfully violated Business and Professions Code  
9 section 6068(i).

10 166. Admit.

11 167. Respondent lacks information sufficient to form a belief with respect to the  
12 allegations of Paragraph 167, and on that basis denies the allegations of Paragraph 167.

13 168. Admit.

14 169. Respondent lacks information sufficient to form a belief with respect to the  
15 allegations of Paragraph 169, and on that basis denies the allegations of Paragraph 169.

16 170. Respondent lacks information sufficient to form a belief with respect to the  
17 allegations of Paragraph 170, and on that basis denies the allegations of Paragraph 170.

18 171. Admit.

19 172. Respondent lacks information sufficient to form a belief with respect to the  
20 allegations of Paragraph 172, and on that basis denies the allegations of Paragraph 172. .

21 173. Admit.

22 174. Respondent denies that he willfully violated Business and Professions Code  
23 section 6068(i).

24 ///

25 ///


26 AFFIRMATIVE DEFENSE

27 During the period pertinent to the allegations and counts set forth in the Notice Of  
28 Disciplinary Charges (that is, approximately mid-2003 through mid-2005) Respondent was

1 clinically depressed to the extent that he was unable to perform with competence as an attorney.  
2

3 DATED: February 8, 2006

BRUCE CARROLL

4  
5 By: 

6 BRUCE CARROLL

7 In Pro Per  
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## PROOF OF SERVICE

I am a member of the State Bar of California, with my office in the County of Los Angeles, State of California. I am representing myself in this matter. My business name and address is Bruce Carroll, 203 North Arden Blvd. Los Angeles, California 90004.

On February 8, 2006, I served the foregoing document described as **ANSWER TO NOTICE OF DISCIPLINARY CHARGES** on the interested parties in this action.

  X   by placing the true copies thereof enclosed in a sealed envelope addressed as stated below:

The State Bar of California  
Office of the Chief Trial Counsel  
Charles Murray  
David T. Sauber  
1149 South Hill Street  
Los Angeles, California 90015-2299

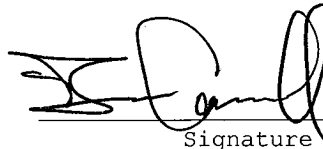
       **(FACSIMILE)** I caused said document to be served by facsimile transmission between 11:00 a.m. and 5:00 p.m. today; transmission was reported as complete and without error to the following:

  X   **(MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 8, 2006, at Los Angeles, California.

Bruce Carroll  
Type or Print Name

  
Signature

## PROOF OF SERVICE